

REMARKS AND ARGUMENT

Received and accepted drawings are acknowledged by Applicants

Applicants acknowledge Examiner's reception and acceptance of the drawings for the Application as filed August 1, 2003.

Paragraphs 5, 6, and 7 are acknowledged by Applicants

Applicants acknowledge Examiner's remarks on page 3, paragraph 5 (under Examiner's item No. 5), and paragraphs 6 and 7 (under Examiner's Item No. 6) of the Office Action mailed August, 21, 2006 (the "Office Action") and notes they do not specifically require an individualized formal response from the Applicants.

Applicants respond to Examiner's Paragraph 1 (under Examiner's Item No. 1) by referencing previous disclosure in Second Preliminary Amendment

In responding to Examiner's requirement on page 2, paragraph 1, to disclose the relationship between this Application and the divisional application no. 10/470,517 filed July 29, 2003, and its pending status, Applicants respectfully direct the Examiner to the previous amendment made to the Specification in the Second Preliminary Amendment dated August 1, 2003. The previous amendment to the Specification should satisfy the disclosure requirement sought by the Examiner.

The current status of the co-pending divisional application, as of the date of this Response, is that it is in "Non-final Rejection", the rejection having been mailed to the Applicant on September 21, 2006. Therefore, based upon its current status, Applicants have not amended the Application as the status of the co-pending divisional application has not changed.

Applicants responds to Examiner's Paragraph 2 (under Examiner's Item No. 2) by amending the Specification

The Specification has been amended by Applicant in this Response to address the status of application no. 09/830842 as requested on page 2, paragraph 2 of the Office Action. Applicant believes that the Examiner intended to reference application no. 09/830642, as stated

in the Specification, instead of application no. 09/830842 as stated in the Office Action, paragraph 2. The application number for the application cited in the Specification has matured into U.S. Patent No. 6,761,870, and that maturation is reflected in the amendment to the Specification.

Applicants respond to Examiner's Paragraph 3 (under Examiner's Item No. 3) by directing Examiner to reference in the Specification

The Examiner has reported on page 2, paragraph 3, of the Office Action that there is no description in the Specification pertaining to thermosetting (i.e., curable) resins of the species of curing agent as claimed in Claim 120. Applicants respectfully direct the Examiner's attention to page 19, lines 20-21 in the Application as filed on July 12, 2003, to what it believes is an adequate reference in the Specification that should satisfy the Examiner's request.

Applicants respond to Examiner's Paragraph 4 (under Examiner's Item No. 4) by electing Group I without traverse; new claims should be incorporated into Group I

In paragraph 4 of page 3 the Office Action, the Examiner has restricted the claims of the present application and requires Applicant in paragraph 8, page 5, to select one of three invention groups: Group I with Claims 97-109, Group II with Claims 110 and 130, and Group III with Claims 111-123 and 131-133. Applicants, without traverse, elect to pursue Group I in the present Application encompassing Claims 97-109. Applicants have cancelled in this Amendment and Response the Group II and Group III claims. Applicants reserve their right to file divisional patent application(s) to capture the subject matter of the cancelled claims.

Applicants state that they believe Claims 134-135, added in this Response, should also be considered and examined as part of Group I. Support for Applicants' assertion that Claims 134-135 belong in Group I may be found in the Specification, page 3, lines 34-37; page 18, lines 31-34; and by Examiner's definition of the composition of the claims comprising Group I in paragraph 4 of the Office Action.

Applicants respond to the Examiner's Paragraph 8 (under Examiner's Item No. 7) by electing for examination purposes only Species A's "epoxy resin" and Species Bii.

The Applicants, as required by the Examiner in paragraph 8 of page 5 of the Office Action, elect the following species for prosecution on the merits to which the claims shall be restricted if no generic claim is held allowable (using the Examiner's designation given in paragraph 8, pages 4-5):

- Species A: Applicant, solely for the purposes of advancing prosecution, selects "epoxy resin" from the polymer species listed by the Examiner in paragraph 7. Claims 97-109 and new claims 134-135 read on this elected species.

- Species Bii: Applicant, solely for the purposes of advancing prosecution, selects the derivatized carbon nanotubes wherein the function moieties are not chemically bound to the polymer as denoted in Claim 100, wherein the type of functional moieties are specified, such as the selection of a single species of diazonium salt from figure 1 as described on page 6, line 37 to page 7, line 5 of the Specification. Claims 97-109 and new claims 134-135 read on this elected species.

Applicants select these species without traverse. Applicant reserves the right to pursue prosecution on the merits of the non-selected species and sub-species.

Applicant further acknowledges Examiner's statement in paragraph 8, page 5, that Claims 97-123 and 130-133 have been found generic.

ATTORNEY DOCKET NO.
11321-P022WUD3

PATENT
Serial No. 10/632,284

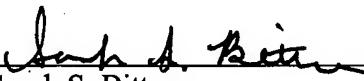
No new matter has been added. Applicant does not believe that any additional fee is due at this time. However, the Director is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account Number 23-2426 of WINSTEAD SECHREST & MINICK P.C. (referencing matter 11321-P022WUD3).

If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the attorney directly at the number given.

Dated:

November 21, 2006

Respectfully submitted,



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AGENT FOR APPLICANT

ATTORNEY DOCKET NO.

O I P E 11321-P022WUD3

PATENT

Serial No. 10/632,284

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10



I hereby certify that the attached *Amendment, Election and Response Under 37 C.F.R. § 1.11* and *Petition for Extension of Time Under 37 C.F.R. 1.136(a)* are being deposited with the USPS, as "Express Mail – Post Office to Addressee", mailing label no. EL812635215US, with sufficient postage, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the 21st day of November, 2006.

11/21/06
Date

Jeanne Collier
Signature

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